IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

DANIEL ARMENDARIZ #313909,	
PLAINTIFF,) 2020 JAN 19 A 9:27
V.) CIVIL ACTION NO P. KACKETT, CLK 2:19-cv-1046-MHT
COMMISSSIONER DUNN, et Al.,) 2:19-cv-1040-MH1:::: 3.500.1
DEFENDANTS.)
)

MOTION TO ENTER

DRAWING AND WRITEING

INTO EVIDENCE

PURSUANT TO RULE 1001 AND RULE 1001(1) OF THE FEDERAL RULES OF EVIDENCE. PLAINTIFF, [DANIEL ARMENDARIZ #313909] WOULD LIKE TO ENTER THE FOLLOWING:

- 1. LAYOUT OF BRAVO DORM ONE AT THE TIME OF THE INCIDENT AND LOCATION OF THE INCIDENT AND WERE THE OFFICERS WERE.
- 2. WRITINGS DERIVED FROM THE UNITED STATES DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION INVETIGATION (APRIL 2,2019).
- 3! DECLARATION FROM PLAINTIFF SHOWING INCIDENTS THAT HAVE OCCURED THIS YEAR THAT PLAINTIFF HAS PERSONAL KNOWLEDGE OF.
- 4. GRAPHIC ARTIST DRAWINGS CONSTITUTE "WRITINGS" WITHIN THE MEANING OF RULE 1001(1) THEY CONSIST OF "THEIR EQUIVALENT". SEILER V. LUCASFILM, Ltd, 484 U.S. 826, (1987).

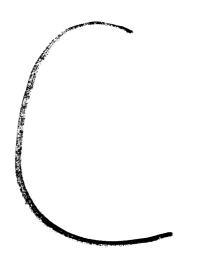
RESPECTFULLY SUBMITTED,

6-15-20 DATED

Daniel Armendariz
PRINT NAME

Daniel Ormendary SIGNATURE

AIS#313909 ELMORE CORRECTIONAL FACILITY 3520 MARION SPILLWAY ROAD ELMORE,AL 36025



IN THE UNITED STA	TES DISTRICT COURT	
FOR THE MIDDLE DI	STRICT OF ALABAMA	RECEIVED
NORTHERN	DIVISION	
DANIEL ARMENDARIZ,#313909,)	2020 JUN 19 A 9:27
PLAINTIFF,))	DESIA P. HACKETT, CLM
V.	CIVIL ACTION NO.:	Might Lite in December with
COMMISSIONER DUNN, et Al.,) 2:19-cv-1046-MHT	
DEFENDANTS.)	
))	

DECLARATION OF

DANIEL ARMENDARIZ

DANIEL ARMENDARIZ HEREBY DECLARES:

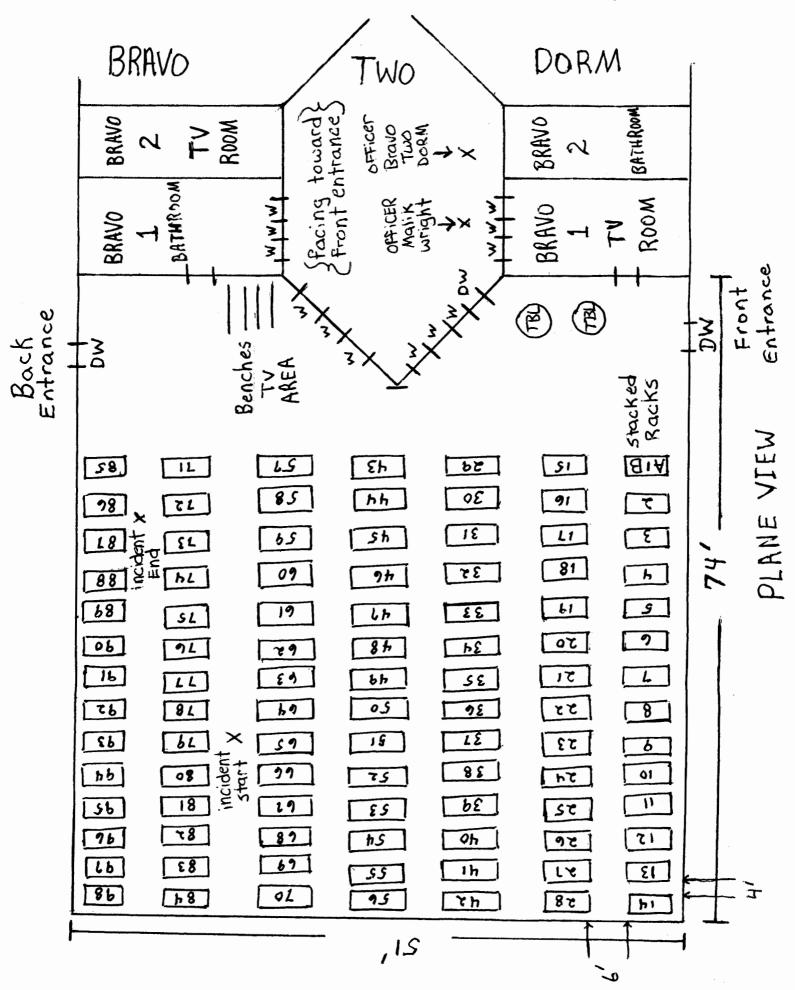
- 1. ON MAY 29,2020 I WAS AT PILL CALL WHEN OFFICERS RESPONDED TO A STABBING IN CHARLIE DORM ONE. THE INMATE DIED ON THE WAY TO THE HOSPITAL.
- 2. ON JUNE 4,2020 OFFICERS RESPONDED TO A STABBING IN CHARLIE DORM ONE THE INMATE WAS HOSPITALIZED.
- 3. ON JUNE 5,2020 OFFICERS RESPONDED TO A FIGHT IN BRAVO DORM ONE THE INMATE WAS STABBED IN THE ARM AND REQUIRED STAPLES TO CLOSE THE WOUND.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT. EXECUTED AT ELMORE, AL ON 15 DAY OF June,
2020

Daniel Cornendory
SIGNATURE

UNITED STATES DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVIDION INVESTIGATION APRIL 2,2019

- 1. IN FEBRUARY 2017, AN ELMORE PRISONER WAS KILLED BECAUSE OF A FAILED DRUG TRANSACTION. MULTIPLE PRISONERS ATTACKED THE VICTIM WHILE HE LAY ASLEEP IN BED, THEN HE WAS DRAGGED ON A BLANKET TO THE COMMON ROOM. WHERE A CORRECTIONAL OFFICER EVENTUALLY DISCOVERED HIM. HE WAS AIR LIFTED TO AN OUTSIDE HOSPITAL FOR EMERGENCY SURGERY DUE TO A BRAIN HEMORRHAGE HE DIED TWO DAYS LATER.
- 2. IN APRIL 2017, AT EL MORE A PRISONER INFORMED AN OFFICER IN
 AN OPEN DORMITORY THAT HE HAD JUST BEEN STABBED IN THE BACK. THE
 PRISONER WAS TAKEN BY AMBULANCE TO AN OUTSIDE HOSPITAL WHERE
 HE UNDER WENT EMERGENCY SURGERY FOR A PUNCTURED LUNG. THE WEAPON
 USED TO STAB THE VICTIM COULD NOT BE FOUND. (pg.20)
- 3. IN JULY 2017, AT ELMORE AN OFFICER OBSERVED A GATHERING OF PRISONERS AT THE BACK OF THE DORMITORY AND SAW THAT ONE PRISONER WAS BLEEDING FROM HIS CHEST. HE RADIOED FOR ASSISTANCE AND THE PRISONER WAS ESCORTED TO THE HEALTH CARE UNIT. THE PRISONER WAS TAKEN BY HELICOPTER TO AN OUTSIDE EMERGENCY ROOM. THE STABBING HAPPENED WHEN THE VICTIM TRIED TO INTERCEDE AND STOP A FIGHT BETWEEN TWO OTHER PRISONERS. (pg.19)
- 4. APRIL 2018 PRISONER AT ELMORE, AFTER HIS MOTHER CALLED TO REPORT THAT HE HAD BEEN RAPED.



CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 15 DAY OF June, 2020 CAUSED A TRUE AND CORRECT COPY OF THE FOREGOING TO BE SERVED UPON THE DEFENDANTS BY PLACING THE SAME IN THE U.S. MAIL, POSTAGE PREPAID AND ADDRESSED AS FOLLOWS:

ATTORNEY GENERAL 501 WASHINGTON AVENUE MONTGOMERY, AL 36130-0152 WEBSTER HENRY, P.C. TWO PERIMITER PARK S. SUITE 445 EAST BIRMINGHAM, AL 35243

Daniel Armendariz
PRINT NAME

Daniel Comentary

AIS#313909 ELMORE CORRECTIONAL FACILIT 3520 MARION SPILLWAY ROAD ELMORE, AL 36025 DANIEL ARMENDARIZ #313909 ELMORE CORRECTIONAL FACILITY 3520 MARION SPILLWAY ROAD ELMORE, AL 36025



UNITED STATES DISTRICT COURT ATT: CLERK ONE CHURCH STREET SUITE B-110 MONTGOMERY, AL 36104

Legal Mail Elmore CF Law Library

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